

1 A bill to be entitled

2 An act relating to school accountability; amending s.
3 1008.34, F.S.; providing definitions for the
4 statewide, standardized assessment program and school
5 grading system; deleting annual reports; revising
6 authority over allocation of a school's budget based
7 on school grades; revising the basis for the
8 calculation of school grades; deleting requirements
9 for a school improvement rating; revising contents of
10 the school report card; deleting provisions relating
11 to performance-based funding policy; revising the
12 basis for the calculation of district grades;
13 requiring the Department of Education to develop a
14 district report card; providing for transition to the
15 revised school grading system; amending s. 1008.341,
16 F.S.; revising the basis for the calculation of the
17 school improvement rating for alternative schools;
18 revising the rating designations and criteria upon
19 which the ratings are determined; amending s.
20 1008.3415, F.S.; correcting cross-references; amending
21 s. 1008.345, F.S.; revising the contents of the
22 Commissioner of Education's report on school
23 improvement and education accountability to include
24 student learning growth information and intervention
25 and support strategies; s. 1001.42, F.S.; revising
26 criteria that necessitate a school's improvement plan

27 to include, and a school to implement, certain
28 strategies for improving student performance; amending
29 ss. 1002.33 and 1003.621, F.S.; revising cross-
30 references; amending s. 1008.31, F.S.; revising
31 legislative intent for the K-20 education performance
32 accountability system; amending s. 1008.33, F.S.;
33 conforming provisions relating to the state system of
34 school improvement and education accountability;
35 amending s. 1011.64, F.S.; correcting a cross-
36 reference; amending s. 1008.22, F.S.; authorizing use
37 of teacher-selected or principal-selected assessments
38 as a form of local assessment; requiring a district
39 school board to adopt policies relating to selection,
40 development, administration, and scoring of local
41 assessments; defining the term "child with medical
42 complexity"; providing that such a child may not
43 participate in statewide, standardized assessments
44 under certain circumstances; amending s. 1012.34,
45 F.S.; providing information to be included in annual
46 reports on the approval and implementation status of
47 school district personnel evaluation systems; revising
48 provisions relating to the measurement of student
49 learning growth for purposes of personnel evaluation;
50 conforming State Board of Education rulemaking
51 relating to performance evaluations; providing for
52 transition to new statewide, standardized assessments;

53 authorizing bonus rewards to school districts for
54 progress toward educator effectiveness; amending s.
55 1012.341, F.S.; removing rulemaking authority and
56 establishing a compliance verification process for the
57 exemption from performance evaluation system,
58 compensation, and salary schedule requirements;
59 providing an effective date.

60

61 Be It Enacted by the Legislature of the State of Florida:

62

63 Section 1. Section 1008.34, Florida Statutes, is amended
64 to read:

65 1008.34 School grading system; school report cards;
66 district grade.—

67 (1) DEFINITIONS.—For purposes of the statewide,
68 standardized assessment program and school grading system, the
69 following terms are defined:

70 (a) "Achievement level," "student achievement," or
71 "achievement" describes the level of content mastery a student
72 has acquired in a particular subject as measured by a statewide,
73 standardized assessment administered pursuant to s.
74 1008.22(3)(a) and (b). There are five achievement levels. Level
75 1 is the lowest achievement level, level 5 is the highest
76 achievement level, and level 3 indicates satisfactory
77 performance. A student passes an assessment if the student
78 achieves a level 3, level 4, or level 5. For purposes of the

79 Florida Alternate Assessment administered pursuant to s.
80 1008.22(3)(c), the State Board of Education shall provide, in
81 rule, the number of achievement levels and identify the
82 achievement levels that are considered passing.

83 (b) "Learning Gains," "annual learning gains," or "student
84 learning gains" means the degree of student learning growth
85 occurring from one school year to the next as required by state
86 board rule for purposes of calculating school grades under this
87 section.

88 (c) "Student performance," "student academic performance,"
89 or "academic performance" includes, but is not limited to,
90 student learning growth, achievement levels, and Learning Gains
91 on statewide, standardized assessments administered pursuant to
92 s. 1008.22.

93 ~~(1) ANNUAL REPORTS. The Commissioner of Education shall~~
94 ~~prepare annual reports of the results of the statewide~~
95 ~~assessment program which describe student achievement in the~~
96 ~~state, each district, and each school. The commissioner shall~~
97 ~~prescribe the design and content of these reports, which must~~
98 ~~include descriptions of the performance of all schools~~
99 ~~participating in the assessment program and all of their major~~
100 ~~student populations as determined by the commissioner. The~~
101 ~~report must also include the percent of students performing at~~
102 ~~or above grade level and making learning gains in reading and~~
103 ~~mathematics. The provisions of s. 1002.22 pertaining to student~~
104 ~~records apply to this section.~~

105 (2) SCHOOL GRADES. ~~The annual report shall identify~~
 106 Schools shall be graded using as having one of the following
 107 grades, defined according to rules of the State Board of
 108 Education:

- 109 (a) "A," schools making excellent progress.
- 110 (b) "B," schools making above average progress.
- 111 (c) "C," schools making satisfactory progress.
- 112 (d) "D," schools making less than satisfactory progress.
- 113 (e) "F," schools failing to make adequate progress.

114
 115 Each school that earns a grade of "A" or improves at least two
 116 letter grades may ~~shall~~ have greater authority over the
 117 allocation of the school's total budget generated from the FEFP,
 118 state categoricals, lottery funds, grants, and local funds, ~~as~~
 119 ~~specified in state board rule. The rule must provide that the~~
 120 ~~increased budget authority shall remain in effect until the~~
 121 ~~school's grade declines.~~

122 (3) DESIGNATION OF SCHOOL GRADES.—

123 (a) Each school must assess at least 95 percent of its
 124 eligible students, except as provided under s. 1008.341 for
 125 alternative schools. ~~Beginning with the 2013-2014 school year,~~
 126 ~~Each school that has students who are tested and included in the~~
 127 ~~school grading system shall receive a school grade based on the~~
 128 school's performance on the components listed in paragraph (b).
 129 If a school does not have at least 10 students with complete
 130 data for one or more of the components listed in paragraph (b),

131 those components may not be used in calculating the school's
132 grade. ~~if the number of its students tested on statewide~~
133 ~~assessments pursuant to s. 1008.22 meets or exceeds the minimum~~
134 ~~sample size of 10, except as follows:~~

135 1. An alternative school may choose to receive a school
136 grade under this section or a school improvement rating under s.
137 1008.341. For charter schools that meet the definition of an
138 alternative school pursuant to State Board of Education rule,
139 the decision to receive a school grade is the decision of the
140 charter school governing board.

141 2. A school that serves any combination of students in
142 kindergarten through grade 3 that ~~which~~ does not receive a
143 school grade because its students are not tested and included in
144 the school grading system shall receive the school grade
145 designation of a K-3 feeder pattern school identified by the
146 Department of Education and verified by the school district. A
147 school feeder pattern exists if at least 60 percent of the
148 students in the school serving a combination of students in
149 kindergarten through grade 3 are scheduled to be assigned to the
150 graded school.

151 3. If a collocated school does not earn a school grade or
152 school improvement rating for the performance of its students,
153 the student performance data of all schools operating at the
154 same facility must be aggregated to develop a school grade that
155 will be assigned to all schools at that location. A collocated
156 school is a school that has its own unique master school

157 identification number, provides for the education of each of its
158 enrolled students, and operates at the same facility as another
159 school that has its own unique master school identification
160 number and provides for the education of each of its enrolled
161 students.

162 (b)1. Beginning with the 2014-2015 school year, a school's
163 grade shall be based on the following components, each worth 100
164 points a combination of:

165 a. The percentage of eligible students passing Student
166 achievement scores on statewide, standardized assessments in
167 English Language Arts administered pursuant to ~~under~~ s.
168 1008.22 (3) 1008.22 and achievement scores for students seeking a
169 special diploma.

170 b. The percentage of eligible students passing statewide,
171 standardized assessments in mathematics administered pursuant to
172 s. 1008.22 (3).

173 c. The percentage of eligible students passing statewide,
174 standardized assessments in science administered pursuant to s.
175 1008.22 (3).

176 d. The percentage of eligible students passing statewide,
177 standardized assessments in social studies administered pursuant
178 to s. 1008.22 (3).

179 ~~e.b.~~ The percentage of eligible students who make Student
180 Learning Gains in FCAT Reading or, upon transition to common
181 core assessments, the common core English Language Arts and
182 Mathematics assessments as measured by statewide, standardized

183 assessments administered pursuant to s. 1008.22(3) ~~1008.22,~~
184 ~~including learning gains for students seeking a special diploma,~~
185 ~~as measured by an alternate assessment.~~

186 f. The percentage of eligible students who make Learning
187 Gains in mathematics as measured by statewide, standardized
188 assessments administered pursuant to s. 1008.22(3).

189 ~~g.e. The percentage of eligible students in Improvement of~~
190 ~~the lowest 25 percent in English Language Arts, as identified by~~
191 ~~prior year performance on statewide, standardized assessments,~~
192 ~~who make Learning Gains in English Language Arts as measured by~~
193 ~~statewide, standardized assessments administered pursuant to s.~~
194 ~~1008.22(3) 25th percentile of students in the school in reading~~
195 ~~or, upon transition to common core assessments, English Language~~
196 ~~Arts and Mathematics assessments administered pursuant to s.~~
197 ~~1008.22, unless these students are exhibiting satisfactory~~
198 ~~performance.~~

199 h. The percentage of eligible students in the lowest 25
200 percent in mathematics, as identified by prior year performance
201 on statewide, standardized assessments, who make Learning Gains
202 in mathematics as measured by statewide, standardized
203 assessments administered pursuant to s. 1008.22(3).

204 i. For schools comprised of middle grades 6 through 8 or
205 grades 7 and 8, the percentage of eligible students passing high
206 school level statewide, standardized end-of-course assessments
207 or attaining national industry certifications identified in the
208 Industry Certification Funding List pursuant to rules adopted by

209 the State Board of Education.

210
211 In calculating Learning Gains for the components listed in sub-
212 subparagraphs e.-h., the State Board of Education shall require
213 that learning growth toward achievement levels 3, 4, and 5 is
214 demonstrated by students who scored below each of those levels
215 in the prior year. In calculating the components in sub-
216 subparagraphs a.-d., the state board shall include the
217 performance of English language learners only if they have been
218 enrolled in a school in the United States for more than 2 years.

219 ~~2. Beginning with the 2011-2012 school year, for schools~~
220 ~~comprised of middle grades 6 through 8 or grades 7 and 8, the~~
221 ~~school's grade shall include the performance and participation~~
222 ~~of its students enrolled in high school level courses with~~
223 ~~statewide, standardized assessments administered under s.~~
224 ~~1008.22. Performance and participation must be weighted equally.~~
225 ~~As valid data becomes available, the school grades shall include~~
226 ~~the students' attainment of national industry certification~~
227 ~~identified in the Industry Certification Funding List pursuant~~
228 ~~to rules adopted by the state board.~~

229 ~~2.3. Beginning with the 2009-2010 school year~~ For a school
230 schools comprised of ~~high school~~ grades 9, 10, 11, and 12, or
231 grades 10, 11, and 12, the school's grade at least 50 percent of
232 the school grade shall also be based on a combination of the
233 factors listed in sub-subparagraphs 1.a.-c. and the remaining
234 percentage on the following components, each worth 100 points

235 ~~factors:~~

236 a. The 4-year high school graduation rate of the school as
237 defined by state board rule.~~†~~

238 b. The percentage of students who were eligible to earn
239 college credit through ~~As valid data becomes available, the~~
240 ~~performance and participation of the school's students in~~
241 College Board Advanced Placement examinations ~~courses,~~
242 International Baccalaureate examinations ~~courses,~~ dual
243 enrollment courses, or ~~and~~ Advanced International Certificate of
244 Education examinations ~~courses; or who, at any time during high~~
245 school, earned ~~and the students' achievement of national~~
246 industry certification identified in the Industry Certification
247 Funding List, pursuant to rules adopted by the state board.~~†~~

248 (c)1. The calculation of a school grade shall be based on
249 the percentage of points earned from the components listed in
250 subparagraph (b)1. and, if applicable, subparagraph (b)2. The
251 State Board of Education shall adopt in rule a school grading
252 scale that sets the percentage of points needed to earn each of
253 the school grades listed in subsection (2). There shall be at
254 least five percentage points separating the percentage
255 thresholds needed to earn each of the school grades. The state
256 board shall periodically review the school grading scale to
257 determine if the scale should be adjusted upward to meet raised
258 expectations and encourage increased student performance. If the
259 state board adjusts the grading scale upward, the state board
260 must inform the public and the school districts of the reasons

261 for and degree of the adjustment and its anticipated impact on
262 school grades.

263 2. The calculation of school grades may not include any
264 provision that would raise or lower the school's grade beyond
265 the percentage of points earned. Extra weight may not be added
266 to the calculation of any components.

267 ~~e. Postsecondary readiness of all of the school's on-time~~
268 ~~graduates as measured by the SAT, the ACT, the Postsecondary~~
269 ~~Education Readiness Test, or the common placement test;~~

270 ~~d. The high school graduation rate of at-risk students,~~
271 ~~who score Level 1 or Level 2 on grade 8 FCAT Reading or the~~
272 ~~English Language Arts and mathematics assessments administered~~
273 ~~under s. 1008.22;~~

274 ~~e. As valid data becomes available, the performance of the~~
275 ~~school's students on statewide, standardized end-of-course~~
276 ~~assessments administered under s. 1008.22(3)(b)4. and 5.; and~~

277 ~~f. The growth or decline in the components listed in sub-~~
278 ~~subparagraphs a. c. from year to year.~~

279 ~~(c) Student assessment data used in determining school~~
280 ~~grades shall include:~~

281 ~~1. The aggregate scores of all eligible students enrolled~~
282 ~~in the school who have been assessed on statewide, standardized~~
283 ~~assessments in courses required for high school graduation,~~
284 ~~including, beginning with the 2011-2012 school year, the end-of-~~
285 ~~course assessment in Algebra I; and beginning with the 2012-2013~~
286 ~~school year, the end-of-course assessments in Geometry and~~

287 ~~Biology I; and beginning with the 2014-2015 school year, on the~~
288 ~~statewide, standardized end-of-course assessment in civics~~
289 ~~education at the middle grades level.~~

290 ~~2. The aggregate scores of all eligible students enrolled~~
291 ~~in the school who have been assessed on statewide, standardized~~
292 ~~assessments under s. 1008.22 and who have scored at or in the~~
293 ~~lowest 25th percentile of students in the school in reading and~~
294 ~~mathematics, unless these students are exhibiting satisfactory~~
295 ~~performance.~~

296 (d) The performance of students attending alternative
297 schools and students designated as hospital or homebound shall
298 be factored into a school grade as follows:

299 ~~1.3.~~ The student performance data for achievement scores
300 ~~and learning gains of eligible students attending alternative~~
301 ~~schools that provide dropout prevention and academic~~
302 ~~intervention services pursuant to s. 1003.53 shall be included~~
303 ~~in the calculation of the home school's grade.~~ The term
304 "eligible students" in this subparagraph does not include
305 students attending an alternative school who are subject to
306 district school board policies for expulsion for repeated or
307 serious offenses, who are in dropout retrieval programs serving
308 students who have officially been designated as dropouts, or who
309 are in programs operated or contracted by the Department of
310 Juvenile Justice. ~~The student performance data for eligible~~
311 ~~students identified in this subparagraph shall be included in~~
312 ~~the calculation of the home school's grade.~~ As used in this

313 subparagraph and s. 1008.341, the term "home school" means the
314 school to which the student would be assigned if the student
315 were not assigned to an alternative school. If an alternative
316 school chooses to be graded under this section, student
317 performance data for eligible students identified in this
318 subparagraph shall not be included in the home school's grade
319 but shall be included only in the calculation of the alternative
320 school's grade. A school district that fails to assign
321 statewide, standardized end-of-course assessment scores of each
322 of its students to his or her home school or to the alternative
323 school that receives a grade shall forfeit Florida School
324 Recognition Program funds for 1 fiscal year. School districts
325 must require collaboration between the home school and the
326 alternative school in order to promote student success. This
327 collaboration must include an annual discussion between the
328 principal of the alternative school and the principal of each
329 student's home school concerning the most appropriate school
330 assignment of the student.

331 2.4. Student performance data for ~~The achievement scores~~
332 ~~and learning gains of~~ students designated as hospital or
333 homebound ~~hospital or homebound~~. ~~Student assessment data for~~
334 ~~students designated as hospital or homebound~~ shall be assigned
335 to their home school for the purposes of school grades. As used
336 in this subparagraph, the term "home school" means the school to
337 which a student would be assigned if the student were not
338 assigned to a hospital or homebound ~~hospital or homebound~~

339 program.

340 ~~5. For schools comprised of high school grades 9, 10, 11,~~
341 ~~and 12, or grades 10, 11, and 12, the data listed in~~
342 ~~subparagraphs 1.-3. and the following data as the Department of~~
343 ~~Education determines such data are valid and available:~~

344 ~~a. The high school graduation rate of the school as~~
345 ~~calculated by the department;~~

346 ~~b. The participation rate of all eligible students~~
347 ~~enrolled in the school and enrolled in College Board Advanced~~
348 ~~Placement courses; International Baccalaureate courses; dual~~
349 ~~enrollment courses; Advanced International Certificate of~~
350 ~~Education courses; and courses or sequences of courses leading~~
351 ~~to national industry certification identified in the Industry~~
352 ~~Certification Funding List, pursuant to rules adopted by the~~
353 ~~State Board of Education;~~

354 ~~c. The aggregate scores of all eligible students enrolled~~
355 ~~in the school in College Board Advanced Placement courses,~~
356 ~~International Baccalaureate courses, and Advanced International~~
357 ~~Certificate of Education courses;~~

358 ~~d. Earning of college credit by all eligible students~~
359 ~~enrolled in the school in dual enrollment programs under s.~~
360 ~~1007.271;~~

361 ~~e. Earning of a national industry certification identified~~
362 ~~in the Industry Certification Funding List, pursuant to rules~~
363 ~~adopted by the State Board of Education;~~

364 ~~f. The aggregate scores of all eligible students enrolled~~

365 ~~in the school in reading, mathematics, and other subjects as~~
366 ~~measured by the SAT, the ACT, the Postsecondary Education~~
367 ~~Readiness Test, and the common placement test for postsecondary~~
368 ~~readiness;~~

369 ~~g. The high school graduation rate of all eligible at-risk~~
370 ~~students enrolled in the school who scored Level 2 or lower on~~
371 ~~grade 8 FCAT Reading and FCAT Mathematics;~~

372 ~~h. The performance of the school's students on statewide,~~
373 ~~standardized end-of-course assessments administered under s.~~
374 ~~1008.22(3)(b)4. and 5.; and~~

375 ~~i. The growth or decline in the data components listed in~~
376 ~~sub-subparagraphs a.-h. from year to year.~~

377
378 ~~The State Board of Education shall adopt appropriate criteria~~
379 ~~for each school grade. The criteria must also give added weight~~
380 ~~to student achievement in reading. Schools earning a grade of~~
381 ~~"C," making satisfactory progress, shall be required to~~
382 ~~demonstrate that adequate progress has been made by students in~~
383 ~~the school who are in the lowest 25th percentile in reading and~~
384 ~~mathematics on statewide, standardized assessments under s.~~
385 ~~1008.22, unless these students are exhibiting satisfactory~~
386 ~~performance. For schools comprised of high school grades 9, 10,~~
387 ~~11, and 12, or grades 10, 11, and 12, the criteria for school~~
388 ~~grades must also give added weight to the graduation rate of all~~
389 ~~eligible at-risk students. In order for a high school to earn a~~
390 ~~grade of "A," the school must demonstrate that its at-risk~~

391 ~~students, as defined in this paragraph, are making adequate~~
392 ~~progress.~~

393 ~~(4) SCHOOL IMPROVEMENT RATINGS. The annual report shall~~
394 ~~identify each school's performance as having improved, remained~~
395 ~~the same, or declined. This school improvement rating shall be~~
396 ~~based on a comparison of the current year's and previous year's~~
397 ~~student and school performance data. A school that improves its~~
398 ~~rating by at least one level is eligible for school recognition~~
399 ~~awards pursuant to s. 1008.36.~~

400 (4) ~~(5)~~ SCHOOL REPORT CARD.—The Department of Education
401 shall annually develop, in collaboration with the school
402 districts, a school report card to be provided by the school
403 district to parents within the district. The report card shall
404 include the school's grade; student performance in English
405 Language Arts, mathematics, science, and social studies;
406 information regarding school improvement; an explanation of
407 school performance as evaluated by the federal Elementary and
408 Secondary Education Act (ESEA), 20 U.S.C. ss. 6301 et seq.; and
409 indicators of return on investment. Each school's report card
410 shall be published annually by the department on its website
411 based upon the most recent data available.

412 ~~(6) PERFORMANCE-BASED FUNDING. The Legislature may factor~~
413 ~~in the performance of schools in calculating any performance-~~
414 ~~based funding policy that is provided for annually in the~~
415 ~~General Appropriations Act.~~

416 (5) ~~(7)~~ DISTRICT GRADE.—The annual report required by

417 ~~subsection (1) shall include the school district's grade.~~
418 Beginning with the 2014-2015 school year, a school district's
419 grade shall include a district-level calculation of the
420 components under paragraph (3) (b) ~~be calculated using student~~
421 performance and learning gains data on statewide assessments
422 used for determining school grades under subparagraph (3) (b)1.
423 for each eligible student enrolled for a full school year in the
424 district. This calculation methodology captures each eligible
425 student in the district who may have transferred among schools
426 within the district or is enrolled in a school that does not
427 receive a grade. The department shall develop a district report
428 card that includes the district grade; the information required
429 under s. 1008.345(5); measures of the district's progress in
430 closing the achievement gap between higher-performing student
431 subgroups and lower-performing student subgroups; measures of
432 the district's progress in demonstrating Learning Gains of its
433 highest-performing students; measures of the district's success
434 in improving student attendance; the district's grade-level
435 promotion of students scoring achievement levels 1 and 2 on
436 statewide, standardized English Language Arts and mathematics
437 assessments; and measures of the district's performance in
438 preparing students for the transition from elementary to middle
439 school, middle to high school, and high school to postsecondary
440 institutions and careers.

441 ~~(6)-(8)~~ RULES.—The State Board of Education shall adopt
442 rules under ss. 120.536(1) and 120.54 to administer this

443 section.

444 (7) TRANSITION.—School grades and school improvement
445 ratings pursuant to s. 1008.341 for the 2013-2014 school year
446 shall be calculated based on statutes and rules in effect on
447 June 30, 2014. To assist in the transition to 2014-2015 school
448 grades and school improvement ratings pursuant to s. 1008.341
449 that are calculated based on new statewide, standardized
450 assessments administered pursuant to s. 1008.22, the 2014-2015
451 school grades shall serve as an informational baseline for
452 schools to work toward improved performance in future years.
453 Accordingly, notwithstanding any other provision of law:

454 (a) A school may not be required to select and implement a
455 turnaround option pursuant to s. 1008.33 in the 2015-2016 school
456 year based on the school's 2014-2015 grade or school improvement
457 rating under s. 1008.341, as applicable.

458 (b)1. A school or approved provider under s. 1002.45 that
459 receives the same or a lower school grade or school improvement
460 rating for the 2014-2015 school year compared to the 2013-2014
461 school year is not subject to sanctions or penalties that would
462 otherwise occur as a result of the 2014-2015 school grade or
463 rating. A charter school system or a school district designated
464 as high performing may not lose the designation based on the
465 2014-2015 school grades of any of the schools within the charter
466 school system or school district, as applicable.

467 2. The Florida School Recognition Program established
468 under s. 1008.36 shall continue to be implemented as otherwise

469 provided in the General Appropriations Act.

470 (c) For purposes of determining grade 3 retention pursuant
471 to s. 1008.25(5) and high school graduation pursuant to s.
472 1003.4282, student performance on the 2014-2015 statewide,
473 standardized assessments shall be linked to 2013-2014 student
474 performance expectations.

475

476 This subsection is repealed July 1, 2017.

477 Section 2. Subsections (2), (3), and (4) of section
478 1008.341, Florida Statutes, are amended to read:

479 1008.341 School improvement rating for alternative
480 schools.—

481 (2) SCHOOL IMPROVEMENT RATING.—An alternative school is a
482 school that provides dropout prevention and academic
483 intervention services pursuant to s. 1003.53. An alternative
484 school shall receive a school improvement rating pursuant to
485 this section unless the school earns a school grade pursuant to
486 s. 1008.34. ~~An Beginning with the 2013-2014 school year, each~~
487 ~~alternative school that chooses to receive a school improvement~~
488 ~~rating shall receive a school improvement rating if the number~~
489 ~~of its students for whom student performance data on statewide,~~
490 ~~standardized assessments pursuant to s. 1008.22 which is~~
491 ~~available for the current year and previous year meets or~~
492 ~~exceeds the minimum sample size of 10. If an alternative school~~
493 ~~does not have at least 10 students with complete data for a~~
494 ~~component listed in subsection (3), that component may not be~~

495 used in calculating the school's improvement rating. The
496 calculation of the school improvement rating shall be based on
497 the percentage of points earned from the components listed in
498 subsection (3). An alternative school that tests at least 80
499 percent of its students may receive a school improvement rating.
500 If an alternative school tests less than 90 percent of its
501 students, the school may not earn a rating higher than
502 "maintaining." Beginning with the 2016-2017 school year, if an
503 alternative school does not meet the requirements for the
504 issuance of a school improvement rating in the current year and
505 has failed to receive a school improvement rating for the prior
506 2 consecutive years, the school shall receive a rating for the
507 current year based upon a compilation of all student Learning
508 Gains for all grade levels for those 3 years. Likewise, if the
509 school fails to meet the requirements for a rating the following
510 year or any year thereafter, the school's rating shall be based
511 on a compilation of student Learning Gains achieved during the
512 current and prior 2 years. The school improvement rating shall
513 identify an alternative school as having one of the following
514 ratings defined according to rules of the State Board of
515 Education:
516 (a) "Commendable" ~~"Improving"~~ means a significant
517 percentage of the students attending the school are making
518 Learning Gains ~~more academic progress than when the students~~
519 ~~were served in their home schools.~~
520 (b) "Maintaining" means a sufficient percentage of the

521 students attending the school are making Learning Gains ~~progress~~
522 ~~equivalent to the progress made when the students were served in~~
523 ~~their home schools.~~

524 (c) "Unsatisfactory" ~~"Declining"~~ means an insufficient
525 percentage of the students attending the school are making
526 Learning Gains ~~less academic progress than when the students~~
527 ~~were served in their home schools.~~

528
529 ~~The school improvement rating shall be based on a comparison of~~
530 ~~student performance data for the current year and previous year.~~
531 Schools that improve at least one level or maintain a
532 "commendable" ~~an "improving"~~ rating pursuant to this section are
533 eligible for school recognition awards pursuant to s. 1008.36.

534 (3) DESIGNATION OF SCHOOL IMPROVEMENT RATING. ~~Student data~~
535 ~~used in determining an alternative school's school improvement~~
536 ~~rating shall include:~~

537 ~~(a)~~ Student Learning Gains ~~performance results~~ based on
538 statewide, standardized assessments, including retakes,
539 administered under s. 1008.22 for all eligible students who were
540 assigned to and enrolled in the school during the October or
541 February FTE count and who have assessment scores or comparable
542 scores for the preceding school year shall be used in
543 determining an alternative school's school improvement rating.
544 An alternative school's rating shall be based on the following
545 components:

546 (a) The percentage of eligible students who make Learning

547 Gains in English Language Arts as measured by statewide,
548 standardized assessments administered pursuant to s. 1008.22(3).

549 (b) The percentage of eligible students who make Learning
550 Gains in mathematics as measured by statewide, standardized
551 assessments administered pursuant to s. 1008.22(3).

552 ~~(b) Student performance results based on statewide,~~
553 ~~standardized assessments, including retakes, administered under~~
554 ~~s. 1008.22 for all eligible students who were assigned to and~~
555 ~~enrolled in the school during the October or February FTE count~~
556 ~~and who have scored in the lowest 25th percentile of students in~~
557 ~~the state on FCAT Reading.~~

558

559 Student performance results of students who are subject to
560 district school board policies for expulsion for repeated or
561 serious offenses, who are in dropout retrieval programs serving
562 students who have officially been designated as dropouts, or who
563 are in programs operated or contracted by the Department of
564 Juvenile Justice may not be included in an alternative school's
565 school improvement rating.

566 (4) IDENTIFICATION OF STUDENT LEARNING GAINS.—For each
567 alternative school receiving a school improvement rating, the
568 Department of Education shall annually identify the percentage
569 of students making Learning Gains consistent with s. 1008.34(3)
570 ~~as compared to the percentage of the same students making~~
571 ~~learning gains in their home schools in the year prior to being~~
572 ~~assigned to the alternative school.~~

573 Section 3. Subsection (2) of section 1008.3415, Florida
 574 Statutes, is amended to read:

575 1008.3415 School grade or school improvement rating for
 576 exceptional student education centers.-

577 (2) Notwithstanding s. 1008.34 ~~1008.34(3)(e)3.~~, the
 578 achievement levels ~~scores~~ and Learning Gains of a student with a
 579 disability who attends an exceptional student education center
 580 and has not been enrolled in or attended a public school other
 581 than an exceptional student education center for grades K-12
 582 within the school district shall not be included in the
 583 calculation of the home school's grade if the student is
 584 identified as an emergent student on the alternate assessment
 585 tool described in s. 1008.22(3)(c) ~~1008.22(3)(e)13.~~

586 Section 4. Subsection (5) of section 1008.345, Florida
 587 Statutes, is amended to read:

588 1008.345 Implementation of state system of school
 589 improvement and education accountability.-

590 (5) The commissioner shall report to the Legislature and
 591 recommend changes in state policy necessary to foster school
 592 improvement and education accountability. The report shall
 593 include:

594 (a) For each school district:

595 1. The percentage of students, by school and grade level,
 596 demonstrating learning growth in English Language Arts and
 597 mathematics.

598 2. The percentage of students, by school and grade level,
 599 in both the highest and lowest quartiles demonstrating learning
 600 growth in English Language Arts and mathematics.

601 (b) Intervention and support strategies used by school
 602 boards whose students in both the highest and lowest quartiles
 603 exceed the statewide average learning growth for students in
 604 those quartiles.

605 (c) Intervention and support strategies used by school
 606 boards whose schools provide educational services to youth in
 607 Department of Juvenile Justice programs that demonstrate
 608 learning growth in English Language Arts and mathematics that
 609 exceeds the statewide average learning growth for students in
 610 those subjects. ~~Included in the report shall be a list of the~~
 611 ~~schools, including schools operating for the purpose of~~
 612 ~~providing educational services to youth in Department of~~
 613 ~~Juvenile Justice programs, for which district school boards have~~
 614 ~~developed intervention and support strategies and an analysis of~~
 615 ~~the various strategies used by the school boards.~~

616
 617 School reports shall be distributed pursuant to this subsection
 618 and s. 1001.42(18)(b) and according to rules adopted by the
 619 State Board of Education.

620 Section 5. Subsection (18) of section 1001.42, Florida
 621 Statutes, is amended to read:

622 1001.42 Powers and duties of district school board.—The
 623 district school board, acting as a board, shall exercise all

624 powers and perform all duties listed below:

625 (18) IMPLEMENT SCHOOL IMPROVEMENT AND ACCOUNTABILITY.—

626 Maintain a ~~state~~ system of school improvement and education
 627 accountability as provided by statute and State Board of
 628 Education rule. This system of school improvement and education
 629 accountability shall be consistent with, and implemented
 630 through, the district's continuing system of planning and
 631 budgeting required by this section and ss. 1008.385, 1010.01,
 632 and 1011.01. This system of school improvement and education
 633 accountability shall comply with the provisions of ss. 1008.33,
 634 1008.34, 1008.345, and 1008.385 and include the following:

635 (a) School improvement plans.—The district school board
 636 shall annually approve and require implementation of a new,
 637 amended, or continuation school improvement plan for each school
 638 in the district. If a school has a significant gap in
 639 achievement on statewide, standardized assessments administered
 640 pursuant to s. 1008.22 ~~1008.34(3)(b)~~ by one or more student
 641 subgroups, as defined in the federal Elementary and Secondary
 642 Education Act (ESEA), 20 U.S.C. s. 6311(b)(2)(C)(v)(II); has not
 643 significantly increased ~~decreased~~ the percentage of students
 644 passing scoring below satisfactory on statewide, standardized
 645 assessments; has not significantly increased the percentage of
 646 students demonstrating Learning Gains, as defined in s. 1008.34
 647 and calculated under s. 1008.34(3)(b), who passed statewide,
 648 standardized assessments; or has significantly lower graduation
 649 rates for a subgroup when compared to the state's graduation

650 rate, that school's improvement plan shall include strategies
651 for improving these results. For schools in which a majority of
652 students in the lowest quartile have not demonstrated learning
653 growth in English Language Arts or mathematics, the school must
654 consider and implement appropriate intervention and support
655 strategies identified pursuant to s. 1008.345(5). The state
656 board shall adopt rules establishing thresholds and for
657 determining compliance with this paragraph.

658 (b) Public disclosure.—The district school board shall
659 provide information regarding the performance of students and
660 educational programs as required pursuant to ss. 1008.22 and
661 1008.385 and implement a system of school reports as required by
662 statute and State Board of Education rule which shall include
663 schools operating for the purpose of providing educational
664 services to youth in Department of Juvenile Justice programs,
665 and for those schools, report on the elements specified in s.
666 1003.52(19). Annual public disclosure reports shall be in an
667 easy-to-read report card format and shall include the school's
668 grade, high school graduation rate calculated without GED tests,
669 disaggregated by student ethnicity, and performance data as
670 specified in state board rule.

671 (c) School improvement funds.—The district school board
672 shall provide funds to schools for developing and implementing
673 school improvement plans. Such funds shall include those funds
674 appropriated for the purpose of school improvement pursuant to
675 s. 24.121(5)(c).

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676 Section 6. Paragraph (n) of subsection (9) and paragraph
677 (b) of subsection (21) of section 1002.33, Florida Statutes, are
678 amended to read:

679 1002.33 Charter schools.—

680 (9) CHARTER SCHOOL REQUIREMENTS.—

681 (n)1. The director and a representative of the governing
682 board of a charter school that has earned a grade of "D" or "F"
683 pursuant to s. 1008.34 ~~1008.34(2)~~ shall appear before the
684 sponsor to present information concerning each contract
685 component having noted deficiencies. The director and a
686 representative of the governing board shall submit to the
687 sponsor for approval a school improvement plan to raise student
688 performance ~~achievement~~. Upon approval by the sponsor, the
689 charter school shall begin implementation of the school
690 improvement plan. The department shall offer technical
691 assistance and training to the charter school and its governing
692 board and establish guidelines for developing, submitting, and
693 approving such plans.

694 2.a. If a charter school earns three consecutive grades of
695 "D," two consecutive grades of "D" followed by a grade of "F,"
696 or two nonconsecutive grades of "F" within a 3-year period, the
697 charter school governing board shall choose one of the following
698 corrective actions:

699 (I) Contract for educational services to be provided
700 directly to students, instructional personnel, and school
701 administrators, as prescribed in state board rule;

702 (II) Contract with an outside entity that has a
703 demonstrated record of effectiveness to operate the school;

704 (III) Reorganize the school under a new director or
705 principal who is authorized to hire new staff; or

706 (IV) Voluntarily close the charter school.

707 b. The charter school must implement the corrective action
708 in the school year following receipt of a third consecutive
709 grade of "D," a grade of "F" following two consecutive grades of
710 "D," or a second nonconsecutive grade of "F" within a 3-year
711 period.

712 c. The sponsor may annually waive a corrective action if
713 it determines that the charter school is likely to improve a
714 letter grade if additional time is provided to implement the
715 intervention and support strategies prescribed by the school
716 improvement plan. Notwithstanding this sub-subparagraph, a
717 charter school that earns a second consecutive grade of "F" is
718 subject to subparagraph 4.

719 d. A charter school is no longer required to implement a
720 corrective action if it improves by at least one letter grade.
721 However, the charter school must continue to implement
722 strategies identified in the school improvement plan. The
723 sponsor must annually review implementation of the school
724 improvement plan to monitor the school's continued improvement
725 pursuant to subparagraph 5.

726 e. A charter school implementing a corrective action that
727 does not improve by at least one letter grade after 2 full

728 school years of implementing the corrective action must select a
729 different corrective action. Implementation of the new
730 corrective action must begin in the school year following the
731 implementation period of the existing corrective action, unless
732 the sponsor determines that the charter school is likely to
733 improve a letter grade if additional time is provided to
734 implement the existing corrective action. Notwithstanding this
735 sub-subparagraph, a charter school that earns a second
736 consecutive grade of "F" while implementing a corrective action
737 is subject to subparagraph 4.

738 3. A charter school with a grade of "D" or "F" that
739 improves by at least one letter grade must continue to implement
740 the strategies identified in the school improvement plan. The
741 sponsor must annually review implementation of the school
742 improvement plan to monitor the school's continued improvement
743 pursuant to subparagraph 5.

744 4. The sponsor shall terminate a charter if the charter
745 school earns two consecutive grades of "F" unless:

746 a. The charter school is established to turn around the
747 performance of a district public school pursuant to s.
748 1008.33(4)(b)3. Such charter schools shall be governed by s.
749 1008.33;

750 b. The charter school serves a student population the
751 majority of which resides in a school zone served by a district
752 public school that earned a grade of "F" in the year before the
753 charter school opened and the charter school earns at least a

754 grade of "D" in its third year of operation. The exception
755 provided under this sub-subparagraph does not apply to a charter
756 school in its fourth year of operation and thereafter; or

757 c. The state board grants the charter school a waiver of
758 termination. The charter school must request the waiver within
759 15 days after the department's official release of school
760 grades. The state board may waive termination if the charter
761 school demonstrates that the Learning Gains of its students on
762 statewide assessments are comparable to or better than the
763 Learning Gains of similarly situated students enrolled in nearby
764 district public schools. The waiver is valid for 1 year and may
765 only be granted once. Charter schools that have been in
766 operation for more than 5 years are not eligible for a waiver
767 under this sub-subparagraph.

768 5. The director and a representative of the governing
769 board of a graded charter school that has implemented a school
770 improvement plan under this paragraph shall appear before the
771 sponsor at least once a year to present information regarding
772 the progress of intervention and support strategies implemented
773 by the school pursuant to the school improvement plan and
774 corrective actions, if applicable. The sponsor shall communicate
775 at the meeting, and in writing to the director, the services
776 provided to the school to help the school address its
777 deficiencies.

778 6. Notwithstanding any provision of this paragraph except
779 sub-subparagraphs 4.a.-c., the sponsor may terminate the charter

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780 at any time pursuant to subsection (8).

781 (21) PUBLIC INFORMATION ON CHARTER SCHOOLS.—

782 (b)1. The Department of Education shall report to each
783 charter school receiving a school grade pursuant to s. 1008.34
784 or a school improvement rating pursuant to s. 1008.341 the
785 school's student assessment data pursuant to s. 1008.34(3)(e)
786 ~~which is reported to schools that receive a school grade or~~
787 ~~student assessment data pursuant to s. 1008.341(3) which is~~
788 ~~reported to alternative schools that receive a school~~
789 ~~improvement rating to each charter school that:~~

790 a. ~~Does not receive a school grade pursuant to s. 1008.34~~
791 ~~or a school improvement rating pursuant to s. 1008.341; and~~

792 b. ~~Serves at least 10 students who are tested on the~~
793 ~~statewide assessment test pursuant to s. 1008.22.~~

794 2. The charter school shall report the information in
795 subparagraph 1. to each parent of a student at the charter
796 school, the parent of a child on a waiting list for the charter
797 school, the district in which the charter school is located, and
798 the governing board of the charter school. This paragraph does
799 not abrogate the provisions of s. 1002.22, relating to student
800 records, or the requirements of 20 U.S.C. s. 1232g, the Family
801 Educational Rights and Privacy Act.

802 3.a. Pursuant to this paragraph, the Department of
803 Education shall compare the charter school student performance
804 data for each charter school in subparagraph 1. with the student
805 performance data in traditional public schools in the district

806 in which the charter school is located and other charter schools
807 in the state. For alternative charter schools, the department
808 shall compare the student performance data described in this
809 paragraph with all alternative schools in the state. The
810 comparative data shall be provided by the following grade
811 groupings:

- 812 (I) Grades 3 through 5;
- 813 (II) Grades 6 through 8; and
- 814 (III) Grades 9 through 11.

815 b. Each charter school shall provide the information
816 specified in this paragraph on its Internet website and also
817 provide notice to the public at large in a manner provided by
818 the rules of the State Board of Education. The State Board of
819 Education shall adopt rules to administer the notice
820 requirements of this subparagraph pursuant to ss. 120.536(1) and
821 120.54. The website shall include, through links or actual
822 content, other information related to school performance.

823 Section 7. Paragraphs (a) and (d) of subsection (1) of
824 section 1003.621, Florida Statutes, are amended to read:

825 1003.621 Academically high-performing school districts.—It
826 is the intent of the Legislature to recognize and reward school
827 districts that demonstrate the ability to consistently maintain
828 or improve their high-performing status. The purpose of this
829 section is to provide high-performing school districts with
830 flexibility in meeting the specific requirements in statute and
831 rules of the State Board of Education.

832 (1) ACADEMICALLY HIGH-PERFORMING SCHOOL DISTRICT.—
 833 (a) A school district is an academically high-performing
 834 school district if it meets the following criteria:
 835 1.a. ~~Beginning with the 2004-2005 school year,~~ Earns a
 836 grade of "A" under s. 1008.34 ~~1008.34(7)~~ for 2 consecutive
 837 years; and
 838 b. Has no district-operated school that earns a grade of
 839 "F" under s. 1008.34;
 840 2. Complies with all class size requirements in s. 1, Art.
 841 IX of the State Constitution and s. 1003.03; and
 842 3. Has no material weaknesses or instances of material
 843 noncompliance noted in the annual financial audit conducted
 844 pursuant to s. 11.45 or s. 218.39.
 845 (d) In order to maintain the designation as an
 846 academically high-performing school district pursuant to this
 847 section, a school district must meet the following requirements:
 848 1. Comply with the provisions of subparagraphs (a)2. and
 849 3.; and
 850 2. Earn a grade of "A" under s. 1008.34 ~~1008.34(7)~~ for 2
 851 years within a 3-year period.
 852
 853 However, a district in which a district-operated school earns a
 854 grade of "F" under s. 1008.34 during the 3-year period may not
 855 continue to be designated as an academically high-performing
 856 school district during the remainder of that 3-year period. The
 857 district must meet the criteria in paragraph (a) in order to be

858 redesignated as an academically high-performing school district.

859 Section 8. Paragraph (b) of subsection (1) of section
860 1008.31, Florida Statutes, is amended to read:

861 1008.31 Florida's K-20 education performance
862 accountability system; legislative intent; mission, goals, and
863 systemwide measures; data quality improvements.-

864 (1) LEGISLATIVE INTENT.-It is the intent of the
865 Legislature that:

866 (b) The K-20 education performance accountability system
867 be established as a single, unified accountability system with
868 multiple components, including, but not limited to, ~~measures of~~
869 ~~adequate yearly progress, individual~~ student performance
870 ~~learning gains~~ in public schools and, school and district
871 ~~grades, and return on investment.~~

872 Section 9. Subsection (2) of section 1008.33, Florida
873 Statutes, is amended to read:

874 1008.33 Authority to enforce public school improvement.-

875 (2) (a) Pursuant to subsection (1) and ss. 1008.34,
876 1008.345, and 1008.385, the State Board of Education shall hold
877 all school districts and public schools accountable for student
878 performance. The state board is responsible for a state system
879 of school improvement and education accountability that assesses
880 student performance by school, identifies schools that ~~in which~~
881 ~~students~~ are not meeting accountability ~~making adequate progress~~
882 ~~toward state~~ standards, and institutes appropriate measures for
883 enforcing improvement.

884 (b) The state system of school improvement and education
885 accountability must provide for uniform accountability
886 standards, provide assistance of escalating intensity to ~~low-~~
887 ~~performing~~ schools not meeting accountability standards, direct
888 support to schools in order to improve and sustain performance,
889 focus on the performance of student subgroups, and enhance
890 student performance.

891 (c) School districts must be held accountable for
892 improving the academic performance achievement of all students
893 and for identifying and improving ~~turning around low-performing~~
894 schools that fail to meet the accountability standards.

895 Section 10. Paragraph (a) of subsection (2) of section
896 1011.64, Florida Statutes, is amended to read:

897 1011.64 School district minimum classroom expenditure
898 requirements.—

899 (2) For the purpose of implementing the provisions of this
900 section, the Legislature shall prescribe minimum academic
901 performance standards and minimum classroom expenditure
902 requirements for districts not meeting such minimum academic
903 performance standards in the General Appropriations Act.

904 (a) Minimum academic performance standards may be based
905 on, but are not limited to, district grades determined pursuant
906 to s. 1008.34 ~~1008.34(7)~~.

907 Section 11. Subsection (6) of section 1008.22, Florida
908 Statutes, is amended, subsections (9) and (10) are renumbered as
909 subsections (10) and (11), respectively, and a new subsection

910 (9) is added to that section, to read:

911 1008.22 Student assessment program for public schools.—

912 (6) LOCAL ASSESSMENTS.—

913 (a) Measurement of student performance ~~learning gains~~ in
 914 all subjects and grade levels, except those subjects and grade
 915 levels measured under the statewide, standardized assessment
 916 program described in this section, is the responsibility of the
 917 school districts.

918 (b) Except for those subjects and grade levels measured
 919 under the statewide, standardized assessment program, beginning
 920 with the 2014-2015 school year, each school district shall
 921 administer for each course offered in the district a local
 922 ~~student~~ assessment that measures student mastery of course ~~the~~
 923 ~~content, as described in the state-adopted course description,~~
 924 at the necessary level of rigor for the course. As adopted
 925 pursuant to State Board of Education rule, course content is set
 926 forth in the state standards required by s. 1003.41 and in the
 927 course description. Local ~~Such~~ assessments may include:

- 928 1. Statewide assessments.
- 929 2. Other standardized assessments, including nationally
 930 recognized standardized assessments.
- 931 3. Industry certification assessments ~~examinations~~.
- 932 4. District-developed or district-selected end-of-course
 933 assessments.
- 934 5. Teacher-selected or principal-selected assessments.

935 (c) Each district school board must adopt policies for

936 selection, development, administration, and scoring of local
937 assessments and for collection of assessment results. Local
938 assessments implemented under subparagraphs (b)4. and 5. may
939 include a variety of assessment formats, including, but not
940 limited to, project-based assessments, adjudicated performances,
941 and practical application assignments. For all English Language
942 Arts, mathematics, science, and social studies courses offered
943 in the district that are used to meet graduation requirements
944 under s. 1002.3105, s. 1003.4281, or s. 1003.4282 and that are
945 not otherwise assessed by statewide, standardized assessments,
946 the district school board must select the assessments described
947 in subparagraphs (b)1.-4.

948 (d)~~(e)~~ The Commissioner of Education shall identify
949 methods to assist and support districts in the development and
950 acquisition of assessments required under this subsection.
951 Methods may include developing item banks, facilitating the
952 sharing of developed tests among school districts, acquiring
953 assessments from state and national curriculum-area
954 organizations, and providing technical assistance in best
955 professional practices of test development based upon state-
956 adopted curriculum standards, administration, and security.

957 (e)~~(d)~~ Each school district shall establish schedules for
958 the administration of any district-mandated assessment and
959 approve the schedules as an agenda item at a district school
960 board meeting. The school district shall publish the testing
961 schedules on its website, clearly specifying the district-

962 mandated assessments, and report the schedules to the Department
963 of Education by October 1 of each year.

964 (9) CHILD WITH MEDICAL COMPLEXITY.—

965 (a) As used in this subsection, the term "child with
966 medical complexity" means a child who is medically fragile and
967 needs intensive care due to a condition such as a congenital or
968 acquired multisystem disease or who has a severe neurologic
969 condition with marked functional impairment.

970 (b) Effective July 1, 2014, a student may not participate
971 in statewide, standardized assessments, including taking the
972 Florida Alternate Assessment, if the student's IEP team, with
973 parental consent, determines that it is inappropriate for the
974 student to participate. The IEP team's determination must be
975 based upon compelling medical documentation from a physician
976 licensed under chapter 458 stating that the student is a child
977 with medical complexity and lacks the capacity to take or
978 perform on an assessment. The district school superintendent
979 must review and approve the IEP team's recommendation.

980 (c) The district school superintendent shall report
981 annually to the district school board and the Department of
982 Education the number of students who are identified as a child
983 with medical complexity who are not participating in the
984 assessment program.

985 Section 12. Subsections (1), (7), and (8) of section
986 1012.34, Florida Statutes, are amended, and subsections (9) and
987 (10) are added to that section, to read:

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988 1012.34 Personnel evaluation procedures and criteria.—

989 (1) EVALUATION SYSTEM APPROVAL AND REPORTING.—

990 (a) For the purpose of increasing student academic
991 performance ~~learning growth~~ by improving the quality of
992 instructional, administrative, and supervisory services in the
993 public schools of the state, the district school superintendent
994 shall establish procedures for evaluating the performance of
995 duties and responsibilities of all instructional,
996 administrative, and supervisory personnel employed by the school
997 district. The district school superintendent shall provide
998 instructional personnel the opportunity to review their class
999 rosters for accuracy and to correct any mistakes. The district
1000 school superintendent shall ~~annually~~ report accurate class
1001 rosters for the purpose of calculating district and statewide
1002 student performance and annually report the evaluation results
1003 of instructional personnel and school administrators to the
1004 Department of Education in addition to the information required
1005 under subsection (5).

1006 (b) The department must approve each school district's
1007 instructional personnel and school administrator evaluation
1008 systems. The department shall monitor each district's
1009 implementation of its instructional personnel and school
1010 administrator evaluation systems for compliance with the
1011 requirements of this section.

1012 (c) Annually, by December 1, ~~2012,~~ the Commissioner of
1013 Education shall report to the Governor, the President of the

1014 Senate, and the Speaker of the House of Representatives the
 1015 approval and implementation status of each school district's
 1016 instructional personnel and school administrator evaluation
 1017 systems. The report shall include performance evaluation results
 1018 for the prior school year for instructional personnel and school
 1019 administrators using the four levels of performance specified in
 1020 paragraph (2) (e). The performance evaluation results for
 1021 instructional personnel shall be disaggregated by classroom
 1022 teachers, as defined in s. 1012.01(2) (a), excluding substitute
 1023 teachers, and all other instructional personnel, as defined in
 1024 s. 1012.01(2) (b)-(d). The commissioner shall include in the
 1025 report each district's performance-level standards established
 1026 under subsection (7), a comparative analysis of the district's
 1027 student academic performance results and evaluation results,
 1028 data reported under s. 1012.341, ~~continue to report, by December~~
 1029 ~~1 each year thereafter, each school district's performance~~
 1030 ~~evaluation results~~ and the status of any evaluation system
 1031 revisions requested by a school district pursuant to subsection
 1032 (6).

1033 (7) MEASUREMENT OF STUDENT LEARNING GROWTH.—

1034 (a) ~~By June 1, 2011,~~ The Commissioner of Education shall
 1035 approve a formula to measure individual student learning growth
 1036 on the statewide, standardized assessments in English Language
 1037 Arts and mathematics on the Florida Comprehensive Assessment
 1038 Test (FCAT) administered under s. 1008.22 ~~1008.22(3)(c)~~1. The
 1039 formula must take into consideration each student's prior

1040 academic performance. The formula must not set different
1041 expectations for student learning growth based upon a student's
1042 gender, race, ethnicity, or socioeconomic status. In the
1043 development of the formula, the commissioner shall consider
1044 other factors such as a student's attendance record, disability
1045 status, or status as an English language learner. The
1046 commissioner shall select additional formulas as appropriate for
1047 the remainder of the statewide assessments included under s.
1048 1008.22 and continue to select formulas as new assessments are
1049 implemented in the state system. After the commissioner approves
1050 the formula to measure individual student learning growth ~~on the~~
1051 ~~FCAT and as additional formulas are selected by the commissioner~~
1052 ~~for new assessments implemented in the state system,~~ the State
1053 Board of Education shall adopt these formulas in ~~by~~ rule.

1054 (b) ~~Beginning in the 2011-2012 school year,~~ Each school
1055 district shall measure student learning growth using the
1056 formulas ~~formula~~ approved by the commissioner under paragraph
1057 (a) for courses associated with the statewide, standardized
1058 assessments administered FCAT. ~~Each school district shall~~
1059 ~~implement the additional student learning growth measures~~
1060 ~~selected by the commissioner under paragraph (a) for the~~
1061 ~~remainder of the statewide assessments included under s. 1008.22~~
1062 no later than the school year immediately following the year the
1063 formula is approved by the commissioner as they become
1064 available. ~~Beginning in the 2014-2015 school year,~~ For grades
1065 and subjects not assessed by statewide, standardized assessments

1066 but otherwise assessed as required under s. 1008.22(6)
 1067 ~~1008.22(8)~~, each school district shall measure performance of
 1068 students ~~student learning growth~~ using a methodology determined
 1069 by the district ~~an equally appropriate formula~~. The department
 1070 shall provide models for measuring performance of students
 1071 ~~student learning growth~~ which school districts may adopt.

1072 (c) For a course that is not measured by a statewide,
 1073 standardized assessment, a school district may request, through
 1074 the evaluation system approval process, to use a student's
 1075 ~~student~~ achievement level ~~measure~~ rather than a student learning
 1076 growth ~~measure~~ if achievement is demonstrated to be a more
 1077 appropriate measure of classroom teacher performance. A school
 1078 district may also request to use a combination of student
 1079 learning growth and achievement, if appropriate.

1080 (d) ~~For~~ If the student learning growth in a course that is
 1081 not measured by a statewide, standardized assessment ~~but is~~
 1082 ~~measured by a school district assessment~~, a school district may
 1083 request, through the evaluation system approval process, that
 1084 the performance evaluation for the classroom teacher assigned to
 1085 that course include the learning growth of his or her students
 1086 on one or more statewide, standardized assessments ~~FCAT Reading~~
 1087 ~~or FCAT Mathematics~~. The request must clearly explain the
 1088 rationale supporting the request. ~~However, the classroom~~
 1089 ~~teacher's performance evaluation must give greater weight to~~
 1090 ~~student learning growth on the district assessment.~~

1091 (e) For purposes of this section and only for the 2014-

1092 2015 school year, a school district may use measurable learning
 1093 targets on local assessments administered under s. 1008.22(6) to
 1094 evaluate the performance of students portion of a classroom
 1095 teacher's evaluation for courses that are not assessed by
 1096 statewide, standardized assessments. ~~classroom teachers of~~
 1097 ~~courses for which the district has not implemented appropriate~~
 1098 ~~assessments under s. 1008.22(8) or for which the school district~~
 1099 ~~has not adopted an equally appropriate measure of student~~
 1100 ~~learning growth under paragraphs (b)-(d), student learning~~
 1101 ~~growth must be measured by the growth in learning of the~~
 1102 ~~classroom teacher's students on statewide assessments, or, for~~
 1103 ~~courses in which enrolled students do not take the statewide~~
 1104 ~~assessments, measurable Learning targets must be established~~
 1105 ~~based upon the goals of the school improvement plan and approved~~
 1106 ~~by the school principal. A district school superintendent may~~
 1107 ~~assign to instructional personnel in an instructional team the~~
 1108 ~~student learning growth of the instructional team's students on~~
 1109 ~~statewide assessments. This paragraph expires July 1, 2015.~~

1110 (8) RULEMAKING.—The State Board of Education shall adopt
 1111 rules pursuant to ss. 120.536(1) and 120.54 which establish
 1112 uniform procedures for the submission, review, and approval of
 1113 district evaluation systems and reporting requirements for the
 1114 annual evaluation of instructional personnel and school
 1115 administrators; specific, discrete standards for each
 1116 performance level required under subsection (2) to ensure clear
 1117 and sufficient differentiation in the performance levels and to

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1118 provide consistency in meaning across school districts; the
1119 measurement of student learning growth and associated
1120 implementation procedures required under subsection (7); ~~a~~
1121 ~~process to permit instructional personnel to review the class~~
1122 ~~roster for accuracy and to correct any mistakes relating to the~~
1123 ~~identity of students for whom the individual is responsible;~~ and
1124 a process for monitoring school district implementation of
1125 evaluation systems in accordance with this section.
1126 Specifically, the rules shall establish a student performance
1127 levels learning growth standard that if not met will result in
1128 the employee receiving an unsatisfactory performance evaluation
1129 rating. In like manner, the rules shall establish a student
1130 performance level learning growth standard that must be met in
1131 order for an employee to receive a highly effective rating and a
1132 student learning growth standard that must be met in order for
1133 an employee to receive an effective rating.

1134 (9) TRANSITION TO NEW STATEWIDE, STANDARDIZED
1135 ASSESSMENTS.—Standards for each performance level required under
1136 subsection (2) shall be established by the State Board of
1137 Education beginning with the 2015-2016 school year.

1138 (10) DISTRICT BONUS REWARDS FOR PERFORMANCE PAY BASED ON
1139 EVALUATION PROGRESS.—School districts are eligible for bonus
1140 rewards as provided for in the 2014 General Appropriations Act
1141 for making outstanding progress toward educator effectiveness,
1142 including implementation of instructional personnel salaries
1143 based on performance results under s. 1012.34 and the use of

1144 local assessment results in personnel evaluations when
 1145 statewide, standardized assessments are not administered.

1146 Section 13. Section 1012.341, Florida Statutes, is amended
 1147 to read:

1148 1012.341 Exemption from performance evaluation system and
 1149 compensation and salary schedule requirements.—

1150 (1) Hillsborough County ~~Notwithstanding any other~~
 1151 ~~provision of this act,~~ a School District ~~that~~ received an
 1152 exemption under Florida's Race to the Top Memorandum of
 1153 Understanding for Phase 2, as provided in s. (D)(2)(ii) of the
 1154 memorandum. Accordingly, notwithstanding any other provision of
 1155 law, Hillsborough County School District, is allowed to base 40
 1156 percent, instead of 50 percent, of instructional personnel and
 1157 school administrator performance evaluations upon student
 1158 performance learning growth under s. 1012.34, ~~as amended by this~~
 1159 ~~act.~~ The school district is also exempt from the amendments to
 1160 s. 1012.22(1)(c) made by chapter 2011-1, Laws of Florida ~~this~~
 1161 ~~act.~~ The exemptions described in this subsection are effective
 1162 beginning with ~~for~~ the 2011-2012 school year and until the
 1163 expiration of this section ~~are effective for each school year~~
 1164 ~~thereafter if the school district receives annual approval by~~
 1165 ~~the State Board of Education.~~

1166 (2) By October 1, 2014, and by October 1 annually
 1167 thereafter, the superintendent of Hillsborough County School
 1168 District shall attest, in writing, to the Commissioner of
 1169 Education that ~~The State Board of Education shall base its~~

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1170 ~~approval upon demonstration by the school district of the~~
1171 ~~following:~~

1172 (a) The instructional personnel and school administrator
1173 evaluation systems base at least 40 percent of an employee's
1174 performance evaluation upon student performance and that student
1175 performance is the single greatest component of an employee's
1176 evaluation.

1177 (b) The instructional personnel and school administrator
1178 evaluation systems adopt the Commissioner of Education's student
1179 learning growth formula for statewide assessments as provided
1180 under s. 1012.34(7).

1181 (c) The school district's instructional personnel and
1182 school administrator compensation system awards salary increases
1183 based upon sustained student performance.

1184 (d) The school district's contract system awards
1185 instructional personnel and school administrators based upon
1186 student performance and removes ineffective employees.

1187 ~~(e) Beginning with the 2014-2015 school year and each~~
1188 ~~school year thereafter, student learning growth based upon~~
1189 ~~performance on statewide assessments under s. 1008.22 must have~~
1190 ~~significantly improved compared to student learning growth in~~
1191 ~~the district in 2011-2012 and significantly improved compared to~~
1192 ~~other school districts.~~

1193 (3) Failure to comply with subsection (2) is grounds for
1194 the State Board of Education, at a public hearing, to revoke the
1195 exemption ~~The State Board of Education shall annually renew a~~

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1196 ~~school district's exemptions if the school district demonstrates~~
1197 ~~that it meets the requirements of subsection (2). If the~~
1198 ~~exemptions are not renewed, the school district must comply with~~
1199 ~~the requirements and laws described in subsection (1) by the~~
1200 ~~beginning of the next school year immediately following the loss~~
1201 ~~of the exemptions.~~

1202 ~~(4) The State Board of Education shall adopt rules~~
1203 ~~pursuant to ss. 120.536(1) and 120.54 to establish the~~
1204 ~~procedures for applying for the exemptions and the criteria for~~
1205 ~~renewing the exemptions.~~

1206
1207 This section is ~~shall be~~ repealed August 1, 2017, unless
1208 reviewed and reenacted by the Legislature.

1209 Section 14. This act shall take effect July 1, 2014.